

## **REMARKS**

Claims 1-4 and 6-27 are pending in the application. Claims 3, 14, and 22-25 have been previously withdrawn from consideration. Claims 1, 2, 4, 6-13, 15-21, 26 and 27 are rejected. Claim 5 has been cancelled. Certain claims have been amended. No new matter is believed to have been added. Reconsideration of the application, as amended, is respectfully requested. The drawings have been accepted. The Examiner's objections and rejections are addressed in substantially the same order as in the pending Office Action.

### ***Election/Restrictions***

The Examiner contended that the application contains claims directed to the following patentably distinct species: (a). Species I - embodied by Figures 2-4A wherein the first and second stabilizers have at least one adjustable rib; and (b) Species II - embodied by Figures 5A-5D wherein the first stabilizer has independently adjustable ribs and the second stabilizer is a fixed stabilizer. During a telephone conversation with the Examiner, the undersigned attorney elected with traverse to prosecute the invention of Species I, claims 2,4, 11, 12, 15, 20, and 26. Applicant hereby affirms this election.

### **Claim Rejections Under 35 USC 102**

Claims 1,2, 4, 6, 8, 1 1, 12, 21, 26, and 27 stand rejected as being anticipated by US 6,213,226 to Eppink et al. With respect to claims 1, 13 and 21 (the independent claims), the Examiner contends, in part, that Eppink et al discloses a first adjustable stabilizer **278** having independently adjustable ribs in Figs. 36 and 38 and accompanying text. The stabilizer 278 is described as having adjustable blades 40, 42. The operation of these blades 40, 42 are described as follows:

Blades 40, 42 are individually housed in slots 60, 62 of stabilizer housing 12 and also are actuated by their own individual extender pistons 104 and return springs 110. However, since each is responsive to the differential pressure, adjustable blades 40, 42

will tend to actuate together to either the extended or contracted position. It is preferred that blades 40, 42 actuate simultaneously and not individually. (Col. 15, lines 20-26; emphasis added)

With respect to the independent claims, which have been amended, Eppink does not teach independently controlling each of the first plurality of independently adjustable ribs. Rather, to Applicant's reading, while the ribs 40, 42 may arguably be independently movable, Eppink teaches against individual control of each of the ribs 40, 42. Moreover, in column 14, Eppink teaches at length the use of a pressure differential to move the ribs 40, 42. That pressure differential is commonly applied to both of the ribs 40, 42, which precludes individual control of the ribs 40, 42. Thus, because Eppink does not teach each and every recitation of the independent claims, and, in fact teaches away from using independently controllable ribs, Applicant respectfully submits that claims 1, 13 and 21 and in condition for allowance.

Claims 2, 26, and 27 are believed to be allowable because, in part, they depend from a claim believed to be in condition for allowance.

#### **Claim Rejections Under 35 USC 103(a)**

Claims 7, 9, 10, 13, and 15-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eppink et al in view of US 5,220,963 to Patton. As discussed above, Eppink does not disclose, and in fact teaches away from, independently controllable ribs. Thus, the combination of Eppink with Patton still does not disclose each and every recitation of the base independent claims for claims 7, 9, 20, 13 and 15-20. Thus, Applicant submits that these claims are in condition for allowance.

### **New Claims**

With respect to new claim 28, Eppink does not teach individually adjusting a force vector of each of the first plurality of independently adjustable ribs.

### CONCLUSION

Consideration of the application as amended is respectfully requested. The Commissioner is hereby authorized to charge any fee and credit any overpayment associated with this response to Deposit Account No. **02-0429 (564-12835-USCQ)**.

Respectfully submitted,

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